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COMMISSION ON HUMAN RIGHTS

Forty-seventh session

SUMMARY RECORD OF THE 19th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 11 February 1991, at 10 a.m.

Chairman: Mr. BERNALES BALLESTEROS (Peru)

later: Mr. AMOO-GOTTFRIED (Ghana)

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Organization of work (continued)

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

(a) Problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development;

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Statement by Mr. Denisov, member of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics

The meeting was called to order at 10.20 a.m.

ORGANIZATION OF WORK (agenda item 3) (continued)

1. The CHAIRMAN, speaking on behalf of the Bureau, proposed that all questions relating to the rights of the child should be grouped together under a new agenda item, and that that new item should replace item 24 of the agenda and be worded as follows:

"Item 24: Rights of the Child, including:

(a) Status of the Convention on the Rights of the Child;

(b) Report of the Special Rapporteur on the Sale of Children;

(c) Programme of action for the elimination of the exploitation of child labour;

(d) Draft programme of action for the prevention of the sale of children, child prostitution and child pornography."

2. In accordance with rule 8 of the rules of procedure of the functional commissions of the Economic and Social Council, the Bureau recommended that the agenda should be amended accordingly, that the new item 24 should be taken up during the afternoon of Thursday, 28 February 1991, and that the provisional calendar should be revised to take that change into account.

3. It was so decided.

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT;

(b) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS (agenda item 7) (continued) (E/CN.4/1991/11; E/CN.4/1991/NGO/6; E/CN.4/1991/NGO/7; E/CN.4/1991/NGO/12; E/CN.4/Sub.2/1990/19)

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT (agenda item 8) (continued) (E/CN.4/1991/12; E/CN.4/1991/NGO/6; E/CN.4/1991/NGO/7; E/CN.4/1991/NGO/10; E/CN.4/1990/9/Rev.1)

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (agenda item 17) (continued) (E/C.12/1988/1; CCPR/C/2/Rev.2; A/45/403; A/RES/45/135)

EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS (agenda item 18) (continued) (E/CN.4/1991/46; A/45/636; A/RES/45/85; A/RES/45/88)

4. Mr. ABRAM (United States of America) said that his Government was deeply concerned about the problems of malnutrition and poverty afflicting one third of the world's population. It would continue to seek every means for encouraging economic growth and would participate in future discussions on development and human rights held in any United Nations bodies.

5. Yet how could development best be achieved? Some argued that development was not a goal but a right that required the moral and coercive authority of law for its enforcement, but the United States believed that development was a goal, and achieving it depended on respect for the rights of the individual and civil liberties.

6. Those two competing visions had been subjected to the test of time in the laboratory of human affairs. In particular, the post-war period could be regarded, retrospectively, as a 40-year experiment in development. Observation of that period made it possible to see the differences between the development of States such as North Korea and South Korea, which had the same people, the same history, the same traditions, and essentially equal resources bases. South Korea's economy was thriving, and its standard of living was many times higher than that of the inhabitants of North Korea, who were poverty-stricken, lived in a polluted environment, and endured the oppression of a totalitarian régime. In that example, as in others, the economy prospered where human rights were respected; where they were systematically denied, the economy failed and, when they could, the people left the country, taking with them their most precious resources: their talent and ingenuity. While freedom alone did not guarantee economic success, repression often guaranteed economic failure.

7. The reason for that state of affairs was that respect for human rights was a sine qua non for sustainable development. Where the rule of law prevailed, businesses did not hesitate to invest, to take on labour, and to train their work-force. Foreign investment, and the infusion of capital, skilled labour and know-how that accompanied it, permeated the developing economies. Protection of the right to own property provided investors with a guarantee that the fruits of their labour would not be seized by the State.

8. Furthermore, development could take place only if all individuals, regardless of their race, religion, caste or colour, were able to contribute to it to the best of their abilities, in conditions of equal opportunity. It also required full political participation by all citizens, to whom Governments must render an honest account. The centrally-planned systems, unchecked by the ballot and the press, invited corruption and favouritism. All those elements, often combined with political uncertainty, were obstacles to development. Nations which put liberty ahead of equality ended up by guaranteeing their citizens greater equality of rights than those which adopted the opposite priority.

9. Enjoyment of civil and political rights presupposed an identifiable and precise relationship between the individual and the State. Every freedom protected the individual from the interference of the State in a given sphere.

It was clear that respect for fundamental freedoms was far from being achieved throughout the world and that many citizens were subjected to repression by their State. There was still a long way to go before the obligations stemming from the Universal Declaration of Human Rights and the Human Rights Covenants were met. One might therefore ask why the Commission was dealing with the right to development. Unlike civil and political rights, the right to development had no precise definition and could not be attained either immediately or in the long run.

10. The report on the Global Consultations on the Right to Development as a Human Right (E/CN.4/1990/9/Rev.1) stated in paragraph 143 that the right to development was the right of individuals, groups and peoples to participate in and contribute to continuous economic, social, cultural and political development, in which all human rights and fundamental freedoms could be fully realized. What exactly did that mean? Did not development questions properly belong in forums that had a mandate to deal with development? If the right to development was a national right, why did it figure on the agenda of the Commission on Human Rights? If development was to be a national right, then must it not, like other rights, oblige someone, something, or some State, to protect and respect it? Would such a right oblige the World Bank or a commercial bank to lend money in order to build a tunnel, for example? That seemed absurd, yet it was precisely what the report implied in stating that "failure to take into account the principles of the right to development in agreements between States and the World Bank, the International Monetary Fund and commercial banks with regard to external debt repayment and structural adjustments, frustrates the right to development and all human rights" (ibid., para. 167).

11. But if the right to development was not a national right, was it, then, an individual right? By whom was it granted and by whom was it exercised? It appeared nowhere in the Universal Declaration of Human Rights, the document that guided the work of the Commission. If development was a right, what body owed the duty of protecting it? Could each individual and each State claim equal benefit by virtue of that right? And by what measure could the extent of its realization be calculated? Compliance with civil and political rights could be measured by the degree to which States refrained from committing certain acts. That was not true of the right to development, which could not be quantified and assessed. Nor could one pinpoint the moment at which that right had been "realized".

12. All the time and money spent on trying to explain the right to development had led to nothing; the explanations given had not fed one child or created one job, nor had they enlightened the Commission or the outside world, since they did not stand up to the most rudimentary legal analysis.

13. He believed that the right to development was little more than an empty vessel into which vague hopes and inchoate expectations could be poured. But ideas could be dangerous; and the idea of the right to development was dangerous because it implied that fundamental freedoms could not be fully realized until all people enjoyed the right to development. That was putting the cart before the horse, by putting the right to development before the rights set forth in the Universal Declaration of Human Rights and, in practice, postponing the exercise of fundamental rights for millions of individuals.

14. Yet even the poorest societies could protect their citizens from torture and arbitrary imprisonment. It cost not one penny to give people the right to vote. Freedoms did not depend on the achievement of some economic goal. On the contrary, freedoms encouraged development. In that regard, he cited the example of Botswana, which had managed to introduce a politically democratic system that had contributed to the country's economic development.

15. No one could deny that development was a noble goal; but not every worthy goal was a right. By broadening the concept of human rights too much, one ran the risk of debasing it, diluting it, and finally bringing it into disrepute. If human rights became a list of pious wishes and an amalgam of incoherent ideas, the rule of law would fail.

16. The earth could generate sufficient wealth to combat famine, ignorance and disease. For that to happen, States must make the internal reforms that would enable them to feed their people. The Commission, and the other bodies to meet before the 1993 World Conference on Human Rights, must examine attentively the relation between development and the human rights set forth in the International Covenants on Human Rights, as recommended by the General Assembly. He hoped that that mandate would be borne in mind and effectively accomplished.

17. Mr. Amoo-Gottfried (Ghana) took the Chair.

18. Mr. ZHANG Yishan (China) said that the Commission had been considering the right to development as a separate agenda item since 1990 and, for years, had helped to achieve wider recognition of that right and to promote its realization.

19. In speaking of the right to development, it was necessary to have a clear idea of what the concept implied. Whereas, according to a certain doctrine, the right to development was only a right of the individual, he believed that the right to development was a right of States as well as of nations and individuals. It was both a collective and an individual right. The development of individuals could not be separated from that of States or nations. All developing countries, including China, had had that same experience. Only when States or nations were developed could individuals enjoy political, economic and social conditions conducive to the exercise of their rights. The development of individuals, in turn, promoted the development of the State. Therefore, the development of States or nations and that of individuals were complementary and interdependent.

20. Furthermore, in order to realize the right to development, it was essential to eliminate the obstacles impeding the development of nations. Colonialism, racism, foreign aggression and occupation, infringements of the sovereignty and independence of States and denial of the right of peoples to self-determination should be eradicated through joint efforts by the international community. The right to development could be fully realized only in the context of a new international political order.

21. However, realization of the right to development also required the establishment of a new international economic order. Current economic relations, which placed the developing countries at a disadvantage, were increasing the gap between the North and the South and worsening the plight of most developing countries. The number of least developed countries had now

increased from 25 in 1972 to 41. In spite of their efforts, most developing countries were unable to make fundamental changes in their situation because their economic underdevelopment was merely the result of an irrational international economic order. Any change in the present situation would require the establishment of new international political relations and the transformation of the existing international economic order.

22. Realization of the right to development was a long-term and arduous task which could not be accomplished through the efforts of human rights organizations alone. It required the co-ordinated efforts of States, United Nations agencies and bodies and all other parties concerned. It was well known that States were interdependent in regard to progress and that what was achieved by the developing countries would contribute to the prosperity of all, including the developed countries. Accordingly, the members of the international community should unite their efforts to create the conditions for early realization of the objectives of the Declaration on the Right to Development; his country stood ready to participate actively in that task.

23. Mr. Bernales Ballesteros (Peru) resumed the Chair.

24. Mr. JANTOMO (Indonesia) said that one of the prime objectives of the United Nations, as stated in the Preamble of the Charter, was "to promote social progress and better standards of life in larger freedom", a principle that had been reaffirmed in the Universal Declaration of Human Rights as proof of the international community's determination to improve the quality of life for all human beings. A new step in that direction had been taken with the Declaration on the Right to Development, adopted by the General Assembly in resolution 41/128, which had expanded the scope of human rights by proclaiming that the right to development was an inalienable human right. However, practical implementation of that right posed certain problems which had been discussed during the Global Consultation on the Realization of the Right to Development as a Human Right; that conference, held at Geneva at the beginning of 1990, had formulated conclusions and concrete recommendations for the actions to be undertaken in that regard. The General Assembly had taken note of those conclusions in resolution 45/97.

25. Millions of persons throughout the world were still suffering from hunger, malnutrition, poverty and illiteracy. Those problems were more evident in some countries than in others, and co-operation between States was essential in that regard, since some countries were unable to make significant progress in those areas. In his view, the establishment of a new world economic order would be more conducive to protecting human rights in all their aspects and would lead to a more constructive dialogue. The actions of all countries should be based on the international development strategy for the fourth United Nations development decade. Clearly the external debt and underdevelopment could not fail to have an adverse impact on the situation of human rights in general, and in the coming decades it would be necessary to define and implement a plan to combat underdevelopment in order to strengthen the structural foundations of all human rights activities.

26. Much remained to be done, as the Under-Secretary-General for Human Rights had pointed out, to improve the observance of economic, social and cultural rights, which were of paramount importance. Development was essential for the establishment of a lasting social peace and the effective promotion of human rights, and any progress in ensuring respect for human rights was an important

factor in economic and social progress. The improvement of the quality of life in the social and political spheres, the betterment of health, education opportunities, housing conditions and religious life were all important aspects of the promotion of human rights.

27. That was how Indonesia defined development. His Government had drawn up seven guidelines for the implementation of the national development process. The first principle was that all development efforts should improve the welfare of all citizens; the second was that citizens should also participate in those efforts, since the aspirations of the nation could be realized only in a spirit of mutual co-operation between the State and the individual; the third was that all national problems should, to the extent possible, be solved democratically through discussion in order to achieve a consensus; the fourth was that, in accordance with justice and equity, all citizens should have an equal share of the material and spiritual gains of development; the fifth was that a harmonious balance should be established between the various material and spiritual interests, those of the individual and those of society, and between national and international interests; and the sixth was that citizens should always abide by the law and that the State should always enforce it. The seventh principle was self-reliance, which meant that national development should be based on confidence in the nation's capabilities, strength and identity. Those seven principles constituted a development programme based on popular participation. They had been renewed every five years and ratified by the People's Consultative Assembly.

28. If one believed in the indivisibility of human rights, then the same importance should be attached to economic, social and cultural rights as to civil and political rights, and an integral approach to those basic rights should be promoted. The right to development lay at the heart of the exercise of human rights, since development was a concept which encompassed all aspects of human rights.

29. Mr. HESSEL (France) said his delegation was pleased to note that the question of the right to development had been placed on the Commission's agenda as a separate item, although it was being discussed along with those on economic, social and cultural rights - which it also welcomed. The Paris Conference on the least developed countries, the Global Consultation at Geneva on the right to development, and the Arusha Conference, which had led to the adoption of the African Charter for popular participation in development, had all helped to define the content and scope of a concept that was not entirely free of ambiguities.

30. Those ideas and discussions had shown that development had not only an economic but also an essentially social and political dimension.

31. The new wind of democracy should sweep away all forms of totalitarianism and dictatorship, something that would make it possible to mobilize all available resources in order to guarantee realization of the right to development and finally give co-operation for development its full meaning. Man must be the subject and not the object of development, and that meant, first and foremost, that national, regional and global development strategies must take account not only of macroeconomic equilibrium or GNP growth calculations but also of the steps that needed to be taken to bring people into closer touch with the decisions that concerned them, to pay attention to action taken by citizens, their associations, non-governmental organizations,

trade unions and rural or urban communities, and to encourage such action. That objective must be pursued with the same energy in all societies, whatever their level of technological or economic development, in accordance with Commission resolution 1989/10.

32. The French Government had, in recent years, endeavoured to increase resources for promoting the social integration of the most vulnerable sectors of French society, including immigrants from the southern Mediterranean. As explained by the President of the Republic at the Baule Conference, only a pluralist democracy in which the potential of every individual could find expression would permit France's partners to achieve a durable, humane and ecologically sustainable, development.

33. The Commission was not intended to take the place of United Nations development agencies or programmes, which, as an excellent UNDP report showed, were doing extremely useful work, but to increase contacts between specialists in the economic, social and cultural, and development and human rights fields, both within the United Nations system and in the framework of intergovernmental or non-governmental regional organizations. In that regard, his delegation shared the view of the Australian delegation with respect to the timeliness of the seminars proposed by the Economic and Social Council and extending advisory services to the issues in question.

34. The gap that now had to be narrowed was no longer merely a gap between rich and poor but also one between the people who had a voice in the decisions that concerned them and those who aspired to such a responsibility but were as yet in no position to exercise it. By bringing together those two objectives, the international community would give real meaning to the concept of solidarity.

35. Mr. ERMACORA (Austria) said that the implementation and further development of human rights standards required a solid and universal international legal framework. The International Covenant on Civil and Political Rights and its two optional protocols, together with the International Covenant on Economic, Social and Cultural Rights and the implementation mechanisms for those instruments, constituted that legal basis. States Members of the United Nations could offer no valid reason for failing to accede to those instruments, since the protection and promotion of human rights was deemed a duty under the Charter of the United Nations. All Member States should therefore do their utmost to strengthen the universal character and applicability of the Covenants and the optional protocols.

36. In that context, the two committees established under the Covenants to supervise implementation by States parties and to support them in their action played an essential role. His delegation welcomed the valuable work done by the expert members of those committees.

37. In view of the increasing number of ratifications and accessions and of the recent entry into force of new instruments, the problem of the effective functioning of treaty bodies had become a pressing one and deserved in-depth consideration by the Commission. All the bodies concerned with the implementation of human rights instruments had adopted their own rules of procedure and methods of work, and that sometimes led to somewhat different approaches to similar provisions in the texts. Such diversity might even create some uncertainty as to the precise meaning of specific human rights

provisions. In the longer term, such a situation could endanger the effectiveness of the whole human rights system, and corrective measures must therefore be envisaged.

38. Furthermore, the work of treaty bodies was seriously affected by a lack of financial resources, which sometimes forced them to postpone or cancel their regular meetings. As a result, reports from States parties could not all be considered by the committees, and existing backlogs grew ever greater. In addition, there were large numbers of overdue reports, which complicated the proper functioning of treaty bodies and made it more difficult for States parties, particularly the smaller countries, to fulfil their obligations under the instruments concerned. All treaty bodies should therefore be financed from the regular budget of the United Nations, and the necessary political decisions to that end should be taken by the General Assembly as a matter of priority. That step would promote increased accession to human rights instruments, since countries could no longer invoke financial difficulties.

39. With regard to the reporting procedure called for by the various treaty bodies, a number of practical measures should be adopted with a view to avoiding any duplication of information.

40. In order to help make reports more concise, the treaty bodies might submit precise questions to Governments rather than leave the form and substance of reports to their discretion. The guidelines on reporting recently elaborated by most bodies were an important step. States parties should also be requested to report on any difficulties they encountered in applying the provisions set forth in the legal instruments, as provided for in some of the instruments in question.

41. Information received from individual countries under various instruments should be collected and made available to all concerned through the Centre for Human Rights. The computerization and establishment of a data bank in the Centre represented an important step in that direction. The treaty bodies and other human rights mechanisms should also have access to the reports of the special rapporteurs of the Commission and the Sub-Commission. States' reports on the implementation of the various human rights instruments could thus be limited to updating existing information and communicating new elements, thereby avoiding repetition. Furthermore, the Centre should actively support the exchange of information among the treaty bodies. Such methods would obviously require considerable strengthening of the resources of the Centre for Human Rights, both in staff and finance.

42. In his delegation's view, the treaty bodies should not merely receive purely academic replies about the implementation of certain articles of legal instruments, since that procedure did not always give a clear idea of the human rights situation in the country concerned. The preventive role of the human rights monitoring organs should be strengthened, and for that purpose the elements necessary for effective preventive action must be identified. In that context, the role of the non-governmental organizations must not be overlooked, since they often acted as ombudsmen. Their contributions should, however, be streamlined and better co-ordinated.

43. The role of special rapporteurs and ad hoc groups, as well as the relationship between rapporteurs, study groups and the Governments concerned, should also be harmonized.

44. As to problems sometimes posed by the system of special procedures, the opinion given by the International Court of Justice in the Mazilu case was also of relevance for special rapporteurs and members of expert groups in general. The Court had said nothing, however, about members of the secretariat who accompanied those rapporteurs and groups. His delegation therefore requested that any appointment made under the special procedures should be accompanied by provisions stipulating that the person concerned was to be considered as an expert. The Commission should adopt a decision to that effect.

45. His delegation fully agreed with a number of topics considered in the report of the third meeting of chairpersons of human rights treaty bodies, convened by the Secretary-General in October 1990. That meeting had proved extremely useful, and similar meetings should be convened on a regular basis.

46. Much remained to be done to meet the most pressing needs with respect to the proper functioning of human rights machinery. All States Members of the United Nations had an obligation to contribute to the promotion and protection of human rights. They should not see that obligation as a burden but as a challenge and a duty vis-à-vis their own citizens and the international community.

47. Mr. SENE (Senegal) said that the General Assembly's adoption on 4 December 1986 of the Declaration on the Right to Development had afforded an opportunity for the Commission to give in-depth consideration to the human dimension of development.

48. Significant progress had been made in the formulation and implementation of national and international political measures to affirm exercise of the right to development as an integral part of human rights at the individual and collective level. The Declaration on the Right to Development was not a list of claims by the poorer countries against the richer. It drew its strength from the moral duty to show solidarity, from freedom of human initiative and from the need for an equitable sharing of responsibility for development among all States, with the aim of building an international society that conformed to the principles and standards of international law and of guaranteeing the material and spiritual well-being of everyone as a basis for world peace and security.

49. In other words, the right to development was a human right. It was essential to the establishment of a new international order based on mutual advantage and interdependence as well as on regional and international co-operation that could help everyone to achieve progress and dignity. It was now impossible to speak of development without reference to history, to respect for the identity of all cultures, to the need for modernity, to training people for a market economy, to effective business management and to the establishment of democratic and pluralistic institutions, i.e. those that provided for and permitted participation of the people in decisions that concerned the road to their development.

50. The present era, more than any other, was marked by extraordinary scientific and technological progress, but also by other equally profound and rapid changes. In recent years, the world had witnessed a surge of freedom in central and eastern Europe. Defence of freedom and democracy must not, however, allow such assaults on the rights of the individual as hunger,

poverty and illiteracy to be forgotten. Development was also incompatible with such human rights violations as apartheid and all forms of discrimination based on race, ethnic or national origin, religion or ideology.

51. More specifically, the obstacles that States must eliminate under article 5 of the Declaration on the Right to Development included racism, racial discrimination, colonialism, domination, foreign occupation, aggression, threats to the sovereignty, unity and territorial integrity of States or threat of war, and denial of the right of peoples to self-determination.

52. In other words, implementation of the Declaration on the Right to Development required that man should hold pride of place in the process, which meant that the abilities of all individuals, societies and States must be used with a view to securing the full enjoyment of human rights so as to fill every person and every people with self-confidence and confidence in the future.

53. It was essential to ensure that the consequences of the economic crisis, which had not been blunted by the display of international solidarity, did not give rise to feelings of despair or humiliation, obscurantist or fanatic regression or xenophobic or racist prejudices that ran counter to respect for human rights. Now, at the close of the nineteenth century, thought must be given to new approaches in which consensus would be the rule, with a view to establishing better conditions for lasting growth and development, as envisaged by the General Assembly at its eighteenth special session on international economic co-operation, in particular, the revitalization of economic growth and development in the developing countries.

54. United Nations development planning and co-ordination bodies, and intergovernmental bodies in their operational activities, must take as their objectives both the improvement of living conditions and the promotion of human rights, which were guarantees for strengthening world peace.

55. It was difficult to speak of the advent of a new international order without speaking of such great challenges for development as education, health, food, housing, employment, population, trade, industry, environmental protection, telecommunications and data processing, transport and tourism, not forgetting financial resources, the indebtedness crisis, transfer of technology, genetic engineering, transnational corporations, or again, outer space and disarmament.

56. The Commission on Human Rights should contribute to a wide-ranging dialogue on the implementation of the right to development, including the obligations of States parties to the International Covenants on Human Rights and to all other relevant instruments.

57. The States that were the guarantors of the implementation of the Declaration on the Right to Development bore the heavy responsibility of taking specific steps to improve economic, social and cultural conditions and facilitate the efforts of individuals and groups to that end, relying on their own strength but also on bilateral and multilateral co-operation.

58. His delegation advocated co-ordination that would bring together Governments, United Nations monitoring bodies, specialized agencies, intergovernmental and non-governmental organizations, scientific institutions,

academies and universities, public and private research institutes and eminent figures who had contributed to the appraisal of development problems. All decisions should be taken by consensus, since that was the best way of mobilizing world public opinion as to the obstacles that could impede development efforts, and the question of more effective strategies.

59. Mr. SANTOS (Observer for Ecuador), referring to agenda item 7, said that he deplored the military confrontation which the world was witnessing and which Ecuador hoped would bring the international community in the future to focus clearly on the settlement of international conflict by dialogue. The present situation called for some thought on problems of war and peace, since it was possible to see the capacity for international co-ordination and the mobilization of immense resources for war - a source of death - when it was so difficult to mobilize solidarity, co-operation and international assistance or resources for development - the basis of peace. It should be reiterated, yet again, that only 5 per cent of the expenditure assigned to the arms industry would make it possible to feed, clothe and house all the inhabitants of the planet. If the spirit of collaboration and the resources set aside for war were set aside for world development, more integrated action could be taken for the universal promotion of human rights.

60. The right to development was also a social right - a right of peoples, nations and States. The quest for the universal common good was the aim of every organized society, and it was from that standpoint that the Governments of the developing countries were confronting the serious economic and social crisis that an unjust international order imposed upon them. They had applied severe structural adjustment policies to relieve the effects of the crisis arising from external debt - a debt which allowed no scope for development planning, other than purely cyclical or emergency measures, and which could prove fatal to the lofty aspirations to a future of liberty, equality and fraternity.

61. Although development was first and foremost a domestic duty of States, it must find its counterpart in a favourable international climate, manifested in actions and not simply in declarations. What was needed was a firm commitment to solve the debt problem in solidarity, by innovative mechanisms, including debt reduction or remission and favourable terms of trade. The ultimate objective would be to institute a sharing of responsibilities that could facilitate the advent of a more just and balanced international society in which there would be no more "lost decades" or social regression in the developing countries.

62. In order to work for the full development of its citizens, his Government had put in hand ambitious policies designed to meet the essential needs of the population, and despite slender resources and the debt burden, marked progress had been made in the social field. Special attention had been paid to education and the elimination of illiteracy, which were essential for man's integration in the modern world, and to family and community health, with intensive vaccination programmes. Efforts had also been made to meet the demands of women for their full integration in society on an equal footing with men. His Government was also concerned about the indigenous population - the majority population in Ecuador - and had established various bodies and programmes, with appropriate allocations, to meet their needs. Steps had also been taken to ensure that development was not furthered to the detriment of the environment, and the decade of the 1990s had been declared the

ecodevelopment decade. In short, efforts were being made to combat all manifestations of underdevelopment in order to meet a perfectly legitimate demand - the right of every citizen and the obligation of society to create the necessary conditions of justice that would allow full development of the human being.

63. An assault must be made on the misleading distinction drawn between a market economy and development planning, which were, in fact, two complementary, and not contradictory elements, since what was needed was to link the creative imagination inseparable from all individual freedom with the social justice demanded by society. In short, the strongest must be prevented from having a totally free hand. The profound inequalities that were dividing the world made it essential to protect the right of the weakest and allow everyone to exist in a society of solidarity and freedom.

64. Mr. ARNOTT (World Conference on Religion and Peace) said it was regrettable that, in a world ruled by the market economy and by an ideology of development as understood by the industrialized countries, the wealth and variety of cultural and social life was reduced to the economic dimension. It was hardly surprising that, in human rights discussions, social and cultural rights had been almost entirely engulfed by economic rights. It was important, of course, not to overlook the vital work of the Global Consultation on the Realization of the Right to Development as a Human Right, or the activities being carried out by the UNESCO Social Science Unit on issues of cultural identity and popular participation in development programmes, or the cultural disintegration which the forces of "modernization" could cause for societies. His organization pleaded for a more important place to be given to cultural rights within the framework of economic, social and cultural rights.

65. Numerous General Assembly resolutions recognized the importance of cultural rights, and attention was drawn to many of them in the study by Mr. Gros Espiell (1980), entitled "The right to self-determination: implementation of United Nations resolutions" (E/CN.4/Sub.2/405/Rev.1). The UNESCO resolution on principles of international cultural co-operation (1966) concerned the right to culture enshrined in the International Bill of Human Rights.

66. On the basis of UNESCO's work, the word "culture" could be understood in a broad sense as the means whereby individuals and groups interpreted the world and themselves. In other words, it related to a society's values, attitudes, beliefs and customs. UNESCO reports contained descriptions, analyses and expressions of concern about the harm that cultures, particularly in the South, could suffer from exposure to the values of the industrialized world.

67. Cultures could suffer in many ways, more particularly through the implementation of insensitive development programmes which could disrupt community work patterns, through over-rapid integration into a western-type economy, through tourism or through population transfers made for strategic or economic reasons. Perhaps the most powerful destructive factor, however, was that of the transnational media.

68. The GATT talks, particularly those of the Working Group on Audiovisual Services, were being focused in particular on the effects of transnational media beyond the control of national governments. The GATT negotiations had far-reaching implications for the cultural identity of countries and should be looked at from a human rights viewpoint. If the countries that opposed any cultural exception with respect to free trade in services had their way, partner governments would expose themselves to international trade retaliation if they tried to stem the flow of images into their countries.

69. The threat to culture was not only a transboundary threat, of course. As the Commission and Sub-Commission were well aware, it was often States themselves that violated the cultural rights of their peoples.

70. Drawing attention to a work by Wolfgang Sachs, a development specialist, he pointed out that the number of languages currently spoken in the world was roughly 5,000, and 99 per cent of them were languages of Asia, Africa, the Pacific and the Americas; only 1 per cent were European. There was every reason to believe, however, that within a generation, only about a hundred of those languages would survive.

71. Mr. RETUREAU (World Federation of Trade Unions), speaking on agenda items 7, 8, 17 and 18, said that the effective implementation of economic, social and cultural rights raised complex problems with respect to the evaluation and monitoring of the way in which States fulfilled their treaty obligations. That had been emphasized by Mr. Danilo Türk in his report to the Sub-Commission (E/CN.4/Sub.2/1990/19), in which he had proposed a methodology and a number of criteria in that regard. It was of pressing importance to bring forward those questions at a time when economic imbalances were growing greater and when the social fabric was being torn apart in so many countries by the structural crisis in the international economic system.

72. For trade unionists, the main criteria fell into two major groups - the first of a legal, and the second of a socio-economic nature - but they were not independent. At the legal level, what was needed was to reflect the provisions of the Covenants and the relevant ILO Conventions on trade union law in the domestic legal order of all States parties to the Covenants. Workers thus possessed, in principle, trade union rights that were internationally recognized and clearly established in the provisions of the International Covenants on Human Rights and in ILO Conventions Nos. 87, 98, 135, 141, 151 and 154, together with a substantial number of recommendations and resolutions.

73. As a result, workers had the right freely to join organizations of their choice and, without prior authorization, to form such organizations independently of parties, governments or employers, to negotiate their working conditions and to exercise the right to strike, to assemble and to demonstrate, without suffering reprisals by employers or governments, or discrimination in employment or profession, because of their trade union or political membership - as set out in the terms of ILO Convention No. 111.

74. Those rights were far from being respected, however, and not only in the developing countries. For example, in the United States, which had signed virtually none of the ILO Conventions, employers could replace striking workers by others and could frequently discharge strikers. Employers resorted to the services of firms that specialized in harassing trade unions, and repressive

legal machinery was sometimes used as a tool for such practices. The Reagan Government had dismissed 11,000 air traffic controllers and had had their trade union dissolved by the courts. The Federal Republic of Germany had refused to implement ILO Convention No. 111 in good faith. Laws in the United Kingdom had imposed such constraints on trade unions as to constitute serious harm to exercise of the right of association. In France, 50,000 trade union members had lost their jobs since 1984 because they belonged to the General Confederation of Labour.

75. Attacks on the independence of trade unions, such as the Islamic Labour Councils in Iran or "solidarism" in Costa Rica, which subordinated the "solidarist" organization to employers in a corporatist system typical of the fascist régimes in Europe between 1920 and 1975, must also be denounced. Direct and cruel repression was also used by landowners or industrialists and by armed groups against rural and urban workers (in Brazil, and in Bihar State in India), and with the direct participation of the armed forces and the police and security services (in Guatemala, Colombia, Peru, El Salvador, the Philippines, Indonesia, Morocco, Sudan, South Korea and the territories occupied by Israel); and that list was not exhaustive.

76. Some countries, though fewer than in the past because of the changes that had occurred in central and eastern Europe, were still subject to a system in which there was one single trade union, more or less dependent on the State. Such unity could not be imposed from outside; pluralism must be respected, with no discrimination between the various organizations. International freedom of association must be recognized for those organizations, just as international trade union organizations should be free to carry out their activities, provided they respected the domestic law of the host country. They should not be expelled or disbanded, as had happened in the case of the World Federation of Trade Unions in Czechoslovakia.

77. Lastly, there were countries in which trade union rights simply did not exist, as in Saudi Arabia, Bahrain, Qatar, Oman and Iran, to speak only of a region that was at present in the spotlight. WFTU questioned whether it was a coincidence that trade union rights were non-existent where the industrialized countries and their transnational corporations had their most essential strategic and economic interests. Was not the same need for enterprises "freed" from trade unionism to be found in the free zones or special economic zones that a number of countries had opened up to the uncontrolled activities of transnational corporations? States could not monitor or be aware of all of the activities of those corporations, and the trade union movement encountered considerable difficulty in organizing itself because international economic and social law was not sufficiently well-developed to deal with the new phenomenon of financial and technological over-concentration which, despite the impact of the activities concerned, was not a subject of international law.

78. There were no international standards applicable to the groups concerned: the codes concerning transnational corporations or transfers of technology had remained in draft form because the Governments of the most highly industrialized countries, in which the corporations had their bases or actual headquarters, wanted them to elude any form of international control. It was thus necessary to develop international economic and social law and developmental and environmental research. That was an obvious role for the United Nations and its specialized agencies.

79. The second set of criteria - living and working conditions - was possibly more difficult to evaluate and compare, since it had many varied sides to it. It was not completely independent of the first set of criteria. While economies were increasingly interdependent, there was no gradual levelling up of living conditions, but rather a constant aggravation of the North-South and East-West imbalances and, within the various societies, a polarization of social classes. The rich continued to get richer and the poor poorer. What was known as the fourth world, or the world of extreme poverty, continued to grow, even in the industrialized countries. In that connection, WFTU supported the NGO declaration on extreme poverty and urged the Commission to take it into consideration in its draft resolutions.

80. While the principles of the Charter of Economic Rights and Duties of States, of the new international economic order and of the right to development seemed each day to lose meaning in the multilateral trade negotiations or in the structural adjustment policies of the IMF and the World Bank system, to the benefit of ultra-liberal practices, there was a constant deterioration in the terms of trade and the development of what was euphemistically called the "informal" sector - a strategy for the day-to-day survival of the poorest. The developing countries were paying an increasingly heavy toll not only in financial terms, with their ever-growing debt, but also on a human level.

81. In everyday life, that meant destitution, high infant mortality, famine, insanitary shanty towns, epidemics and illiteracy. UNICEF needed a billion dollars to save hundreds of thousands of Africans who were likely to die of hunger during the coming weeks. That was barely the cost of one day of war in the Gulf. The industrialized countries themselves had their own slow- or fast-moving societal groups and their own permanent outcasts.

82. The solution to those problems was not out of reach. It was a matter of political and economic choices and of priorities. The existing unjust and imbalanced system produced enormous wastage and untold suffering. The question of a new international order that took account of the human dimension of development was still on the agenda and it was a question of human survival.

83. Mr. TEITELBAUM (American Association of Jurists), speaking on agenda items 7 and 8, said that, according to the United Nations World Economic Survey 1990, the growth in gross domestic product of Latin America and the Caribbean in 198[0] had been 0.7 per cent, which meant that it had fallen back for the second consecutive year so far as per capita GDP was concerned. In Africa, the growth rate had been 2.8 per cent, which was lower than the population growth rate. According to the same survey, there had, in 1989, been a net transfer abroad of resources from Latin America of $28 billion, or $6 billion more than in 1988. Africa had received $3 billion from abroad as against $14 billion in 1982.

84. For the vast majority of developing countries, the decade just ended had been called the "lost decade" - the decade of the external debt problem, of the fall in commodity prices and of international financial disorder. It had been a decade of impoverishment for the majority of the population, with its after effects of famine, malnutrition and increased infant morbidity and mortality, growing numbers of children with no schooling, deteriorating social services. The gap between rich and poor continued to widen, both between and within countries. No prospect of change for the immediate future was evident.

85. A similar diagnosis could be found in the report entitled "External debt crisis and development", presented to the General Assembly in October 1990 (A/45/380) by Mr. Bettino Craxi, personal representative of the Secretary-General for indebtedness questions. The consequences of the Gulf crisis, which had become the Gulf war, were analysed, and could be summarized as: stagnation or reduction of the per capita income growth rate in many low-income countries, particularly in Africa; the emergence of new heavily-indebted countries among the South Asian low-income countries which had hitherto succeeded in avoiding serious indebtedness problems; exacerbation of the debt burden of many medium-income countries; serious balance-of-payments difficulties for central and eastern European countries; and decreased inflows of resources from abroad into heavily-indebted petroleum exporting countries, such as Mexico and Nigeria.

86. The solutions to the debt problem proposed in the Craxi report largely consisted of following the present IMF directives, with a few changes, and strengthening the Brady plan - a course of which the American Association of Jurists disapproved. The policies recommended by the IMF for the indebted countries - foreign trade liberalization, currency devaluation, higher interest rates, limitation of public expenditure and privatization of State enterprises - had clearly adverse effects in practice. Devaluation, which was supposed to make for increased exports, very seldom attained that objective because of protectionism by developed countries; on the contrary, it almost always raised the cost of the imports necessary to support and develop the national industries. Higher interest rates shifted capital towards speculative investment, which was not always job-creating, while lower public expenditure fundamentally affected the health and education sectors.

87. The United Nations World Economic Survey 1990 analysed the recently-concluded agreements under the Brady plan with Mexico, the Philippines, Costa Rica and Venezuela, and concluded that the plan did not appear to offer the desired solution to the debt problem. The time had perhaps come for the international community to endeavour to solve the problem, instead of merely "managing" it. The International Monetary Fund recognized the adverse effects of adjustment policies on the poorest sectors and looked favourably at the growing interest being focused on the social effects of those policies, not only for moral reasons but because that would increase the chances of success of the policies by curbing popular resistance. The IMF had pointed out, however, that the income distribution criteria did not form part of its conditionality rules, since the social choices involved in the adjustment policies were the prerogative of Member States.

88. Many of the financial operations that had given rise to a large part of the debt of some countries were veritable economic offences committed with the complicity of international banks. That had also happened to some extent with credit agreements that contained manifestly unlawful clauses and some of which had formed the subject of a study by the Economic Commission for Latin America and the Caribbean (ECLAC), notably in the case of Argentina. As to Chile, which had been presented as an example of the success of the ultra-liberal economic model advocated by the "Chicago boys" and the IMF, the Chilean Minister of the Economy had recently submitted to the Chamber of Deputies a report indicating that the process of complete or partial privatization of 32 Chilean enterprises between 1985 and 1990, under the Pinochet dictatorship, had been marked by irregularities and illegality and had led

to a loss of $2,209 million, so that, along with other irregularities, the country had suffered a total loss of $7 billion, equivalent to nearly 38 per cent of its foreign debt.

89. In addition to the Declaration on the Right to Development adopted by the General Assembly, there were numerous international instruments setting forth standards for the realization, promotion and protection of the economic and social bases of the right to development. Those instruments were a source of rights and oblifations for the international community, States, public and private law institutions and individuals. Experience showed, however, that the circles wielding economic power took no account of those standards. The impotence of the law vis-à-vis economic power was made worse by the worldwide integration of financial markets and by the new technologies they used, such as data processing and electronic equipment for the collection and transmission of data and transfer of capital, which allowed them to elude State control. Yet the financial markets were now a decisive element in the world economy, since the value of financial movements was 50 times greater than that of movements of goods.

90. The international community should therefore formulate standards to regulate international financial activities and strictly control violations of the precepts of the right to development. First and foremost, the General Assembly should declare that practices and policies of States, institutions, and individuals that impeded realization of the right to development - such as usury, illegal currency transactions, disruption of the international monetary system and misuse of economic power and of international financial mechanisms to obtain benefits to the detriment of others - were international offences.

91. An optional protocol to the International Covenant on Economic, Social and Cultural Rights should also be adopted. It should be considered whether such international financial institutions as the IMF and the World Bank were acting in accordance with the objectives set forth in their statutes and with international standards with respect to economic, social and cultural rights. A reform of their structures, which were completely undemocratic, should be proposed. In the IMF, for example, the decision-making power lay with the five countries holding the majority of shares, and a single country, the United States of America, could block certain important decisions because it held the necessary percentage of votes for that purpose. The Commission should take the important action he had suggested in order to help in building a new international order genuinely based on law and justice.

92. Mr. CHADHA (India), referring to agenda items 7 and 8, paid a tribute to Mr. Danilo Türk, the Sub-Commission's Special Rapporteur, who, in his report on the realization of economic, social and cultural rights (E/CN.4/Sub.2/1990/19), had placed emphasis on the use of economic and social indicators for assessing progress in the realization of those rights. His delegation had also noted the recommendations contained in the report, and supported the suggestion that there should be a discussion of appropriate indicators as a part of human rights activities for the biennium 1992-1993.

93. Poverty and underdevelopment were the lot of the greater part of mankind. The right to development was therefore of particular significance for some countries. Civil and political rights were what had been called first generation rights, and economic, social and cultural rights were known

as second generation rights, while the right to development belonged to the third generation. Emphasis on the right to development was not a pretext used by countries to explain human rights abuses as being the inevitable consequence of inequalities in the world, or to affirm that political liberties were contingent upon the realization of economic, social and cultural rights. The reason for highlighting the right to development was to emphasize that human beings had a right to live a decent and dignified life.

94. The Global Consultation on the Realization of the Right to Development as a Human Right, held in January 1990 (E/CN.4/1990/9/Rev.1), had arrived at exhaustive conclusions and recommendations on the basis of which the Commission and other United Nations bodies could consider the action to be taken.

95. It was often said in certain quarters that the right to development had no proper legal foundation, but that view was unjustified. The Charter of the United Nations itself stated in the preamble that the peoples of the United Nations were resolved "to promote social progress and better standards of life in larger freedom" and to that end to unite their strength "to maintain international peace and security and to employ international machinery for the promotion of the economic and social development of all peoples". Thus, the right to development certainly had a legal foundation and was based on a dynamic set of principles which had developed progressively. The affirmation of that right was one of the most important initiatives taken by the United Nations towards innovative codification.

96. The right to development was the right of individuals, groups and peoples to participate in, contribute to and enjoy economic, social, cultural and political development; the right to participate in decision-making at all stages, the right to equal access to resources, the right to a fair distribution of the benefits of development; and the right to an international environment in which all those rights could be fully realized. Lastly, development was a basic human need which fulfilled the aspirations of all peoples to achieve the greatest possible degree of freedom and dignity, both as individuals and as members of society.

97. The world economy had not yet extricated itself from the crisis that had characterized it since the early 1980s, and existing instruments had been unable to cope with current problems. The principles of multilateralism and interdependence were suffering from a serious crisis of confidence. The instability of the world economy had manifested itself in massive budget deficits and balance-of-payments imbalances in several developed countries, and in volatile exchange rates. For the developing countries, that had resulted in a serious deterioration in their terms of trade, a decline in financial flows and a sharp escalation of the debt burden. The rise of protectionism, which had particularly affected the developing countries, had compounded the problems. Again, the crisis situation faced by many developing countries had worsened on account of recent developments in the Gulf.

98. Having outlined the legal and economic aspects of the right to development, his delegation wished to focus on what it considered to be the most important dimension, namely, the human aspect. What was required was not only to satisfy material needs but also to create the necessary conditions for improving the quality of life. The human being was the central subject rather than a mere object of the right to development. States must thus not only

take specific steps to improve the economic, social and cultural situation, but must do so in a manner that was democratic both in formulation and in results. A development strategy that disregarded or limited human rights was the very negation of development.

99. Development was multidimensional. At the national level, efforts were made to ensure the fullest possible development of the individual and also of society as a whole. Similarly, given the interdependence of the contemporary world, development at the national level required appropriate international conditions and an appropriate environment. Peace and development were indivisible, as were political freedom and social and economic progress. There could be no durable peace so long as social and economic disparities between nations continued to widen. The promotion and implementation of the right to development would greatly help to further international efforts to strengthen peace and security. India had therefore emphasized on several occasions the fundamental relationship between disarmament and development and the need to understand all its ramifications.

100. In the report on the Global Consultation, it was rightly pointed out that the United Nations had a major stake in promoting development policies which would in turn promote respect for human rights.

STATEMENT BY MR. A. DENISOV, MEMBER OF THE PRESIDIUM OF THE SUPREME SOVIET OF THE UNION OF SOVIET SOCIALIST REPUBLICS

101. Mr. DENISOV (Union of Soviet Socialist Republics) said that human rights had become the quintessence of democracy and the main criterion for determining the place and role of each State in the community of sovereign nations. The Soviet Union was well aware of that fact, and therefore firmly supported the strengthening of international mechanisms, including the Commission on Human Rights, that were intended to promote the implementation of the principles enshrined in the Universal Declaration of Human Rights and other international human rights instruments.

102. The processes of perestroika and democratization under way in the Soviet Union were aimed primarily at reasserting in Soviet society the principle of inviolability of human rights, enhancing and protecting human dignity and dismantling totalitarianism and the last vestiges of Stalinism. The democratic transformation of Soviet society, begun five years earlier, had involved a radical reappraisal of the dogmas and perceptions concerning man and his rights and freedoms. Those efforts had led to the adoption by the Supreme Soviet of a new set of laws laying the foundations for a society based on the rule of law. A bill on entry into and exit from the Soviet territory would shortly be enacted. The Soviet authorities were prepared to send copies of several bills under preparation to the United Nations experts in order to determine their conformity with international human rights standards.

103. The rights and freedoms of Soviet citizens were guaranteed by the President of the Soviet Union, who was assisted in that task by the Constitution Supervisory Committee for questions concerning the protection of constitutional order, and by the Federation Council when it came to safeguarding the interests of all the Union Republics. All the necessary steps were being taken to make the Soviet Union a new federation in which the law reigned and the legitimate rights of all citizens were secured.

Naturally, much more remained to be done to achieve that objective, and the difficulties were not insignificant. He would like to give some details about the recent developments in the Baltic countries, which appeared to have provoked some emotional, somewhat one-sided, and not always balanced reaction in the Commission.

104. First, the Soviet leadership and all reasonable people in the USSR had deplored those events, and an investigation into them had been opened by the Prosecutor's Office of the USSR as well as by the relevant bodies of the Republics to determine who was responsible for what had occurred. In no way had army units been involved in the clashes that had taken place in Riga. What had happened was a conflict between different units coming under the Ministry of Internal Affairs of Latvia. Furthermore, it had been ascertained that three of the four victims had been found far away from the scene of the conflict and had been killed with weapons that were not in use by the parties in conflict.

105. Second, his Government was taking all the necessary measures to defuse the situation in the Baltic Republics, and it was futile to look for ill-will on the part of the Central Government, still less on the part of the President of the USSR, behind those isolated and spontaneous incidents. The right of secession for all Republics was expressly provided for in the USSR Constitution, and was regulated in detail by a specific law. The Soviet leadership was prepared to discuss with the Baltic Republics any problem that might arise on the basis of existing laws, since respect for the laws was a sine qua non and a guarantee for the respect of human rights.

106. Third, an objective analysis showed that the situation in the Baltic Republics had deteriorated as a result of the power struggle between rival extremist groups. Refusal to observe Soviet legislation and presidential decrees, together with human rights violations and discrimination against minorities, had produced a situation of anarchy in those Republics.

107. Fourth, only dialogue, restraint, compromise and prevention of violence could provide a way out of the crisis. Steps were being taken to normalize and stabilize the situation and promote concord and co-operation. The armed forces were being withdrawn from the Baltic Republics and delegations headed by deputy prime ministers had been formed to hold talks with Lithuania, Latvia and Estonia. Nothing should be done to undermine those basic initiatives or obstruct the contacts between the Government of the USSR and the Baltic Republics. Untimely statements could have a destabilizing effect on the political situation in the USSR and raise obstacles to a political settlement of the problem.

108. Fifth, the Soviet President was responsible under the USSR Constitution for assuring all citizens of the Soviet Union, without distinction, the exercise of their rights and freedoms, and he would do everything possible to attain that objective.

109. Sixth, the Soviet Union, which was concerned at the reaction of some countries to the developments in the Baltic countries, wished to state that it had in no way departed from the course it had embarked upon, both in its domestic and its foreign policy, in 1985. Any suggestion that the country was moving towards dictatorship was groundless. President Gorbachev himself had stated that perestroika, democratization and glasnost had been and remained

unshakable values that the presidential power would preserve. The Soviet Union had recently given abundant evidence to the world of its firm commitment to the principles of law, justice and reason.

110. The country's temporary difficulties with respect to law and order must not be taken as a retreat from the preservation of human rights. The commitment of Soviet society to the universal human values was the result of a serious and free choice, and not a propaganda trick. The Soviet Union had established itself as a responsible participant in the European process and its salutary influence on the entire system of international relations must not be underestimated. It was committed to the principles laid down in the Paris Charter, considered itself bound by the agreements reached in the framework of the CSCE meetings on the human dimension, particularly in Copenhagen, and would implement the provisions in a consistent and planned way. It was convinced that the humanitarian conference in Moscow, for which preparations were being made, would be a further milestone in the European process and would reaffirm its faithfulness to the ideals of freedom, democracy and protection of human rights.

111. The Soviet Union would follow the same course in the United Nations bodies concerned with humanitarian questions. The Soviet delegation hoped that the decisions to be taken by the Commission on Human Rights with a view to enhancing respect for human rights and fundamental freedoms would serve as a guide to the USSR in its law-making and practical activities, and that objectivity, thoroughness and fidelity to the principles of human rights protection would continue to guide the efforts of all participants in the Commission's work.

The meeting rose at 1.10 p.m.